



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 05/23/06

AGENDA ITEM 7

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Utility Service Agreement 05-01 – Jose Garcia (Applicant/Owner) – Authorize the City Manager to Execute a Utility Service Agreement for Water Service at 3999 Star Ridge Road

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution:

- 1) Authorizing the City Manager to execute a Utility Service Agreement to provide water service for the property at Assessor's Parcel Number 425-0070-001 on Star Ridge Road (East Avenue);
- 2) Authorizing the City Manager to execute a Public Street Improvement Agreement for the property at Assessor's Parcel Number 425-0070-001 on Star Ridge Road (East Avenue); and
- 3) Directing staff to apply to the Local Agency Formation Commission (LAFCO) for approval of the Utility Service Agreement.

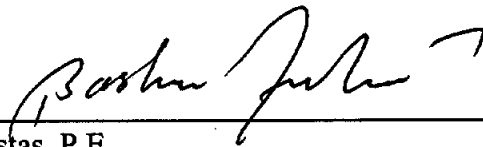
**DISCUSSION:**

The applicant has requested water service connection for a domestic service for a single-family home in the Castle Homes Water Service Area at the subject location. The Castle Homes water service agreement between the City and Castle Homes (executed in 1954), requires that the City maintain sufficient water supply for the property, subject to execution of a utility service agreement and reasonable conditions.

Pursuant to City policy, the applicant has executed agreements committing them to install roadway frontage improvements and tie-in pavement at a future date and agreeing to annex, if and when requested by the City. This is consistent with past agreements approved for providing utility service to properties outside the City limits.

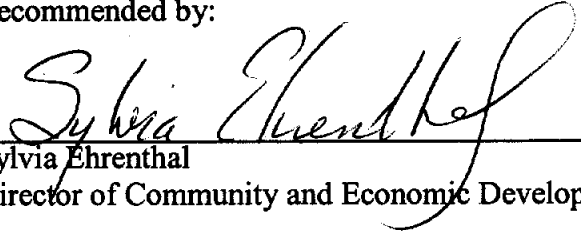
This application for the water service is Categorically Exempt per CEQA Guideline Section 15301(b) (existing facilities of a publicly owned utility). If execution of the agreements is approved, the City will need to apply to LAFCO for approval of the utility service agreement.

Prepared by:



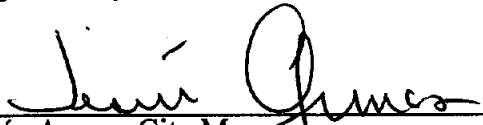
Bashir Y. Anastas, P.E.  
Development Review Services Engineer

Recommended by:



Sylvia Ehrental  
Director of Community and Economic Development

Approved by:



Jesús Armas, City Manager

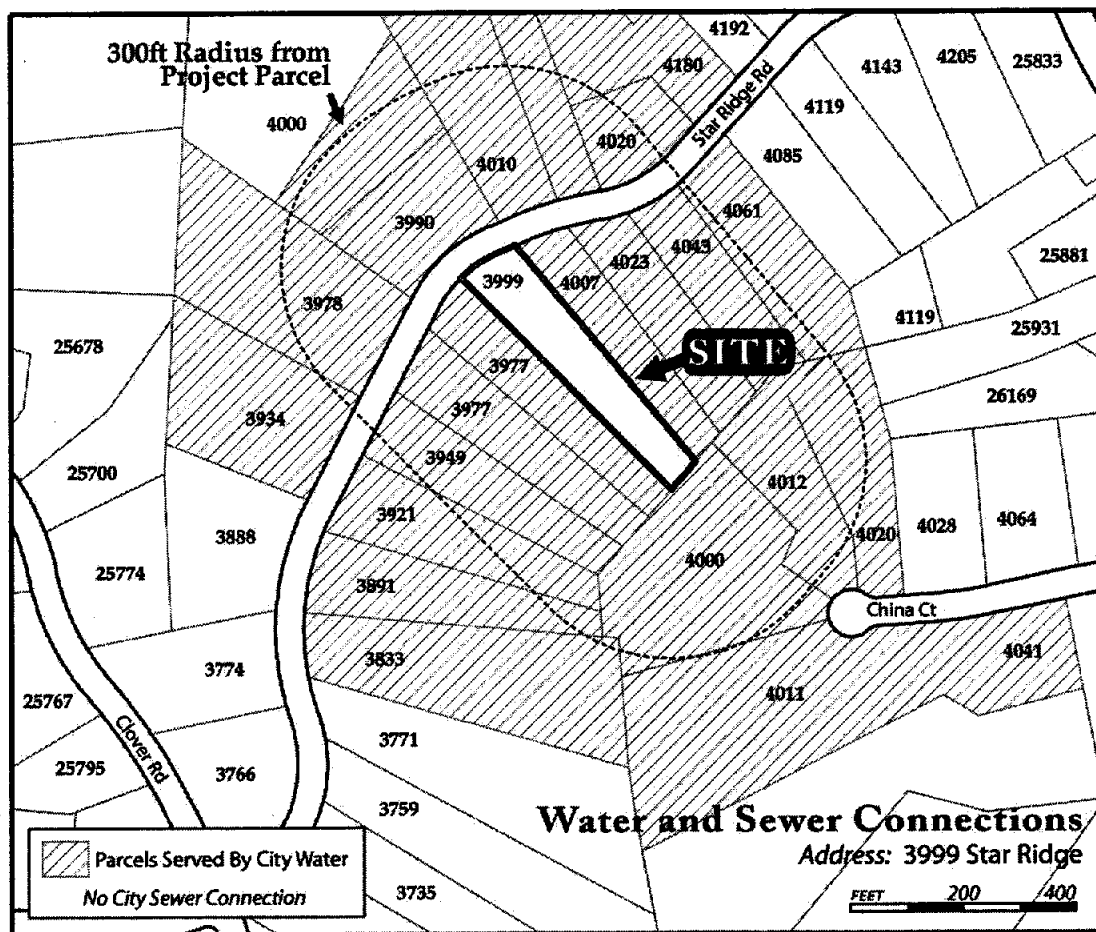
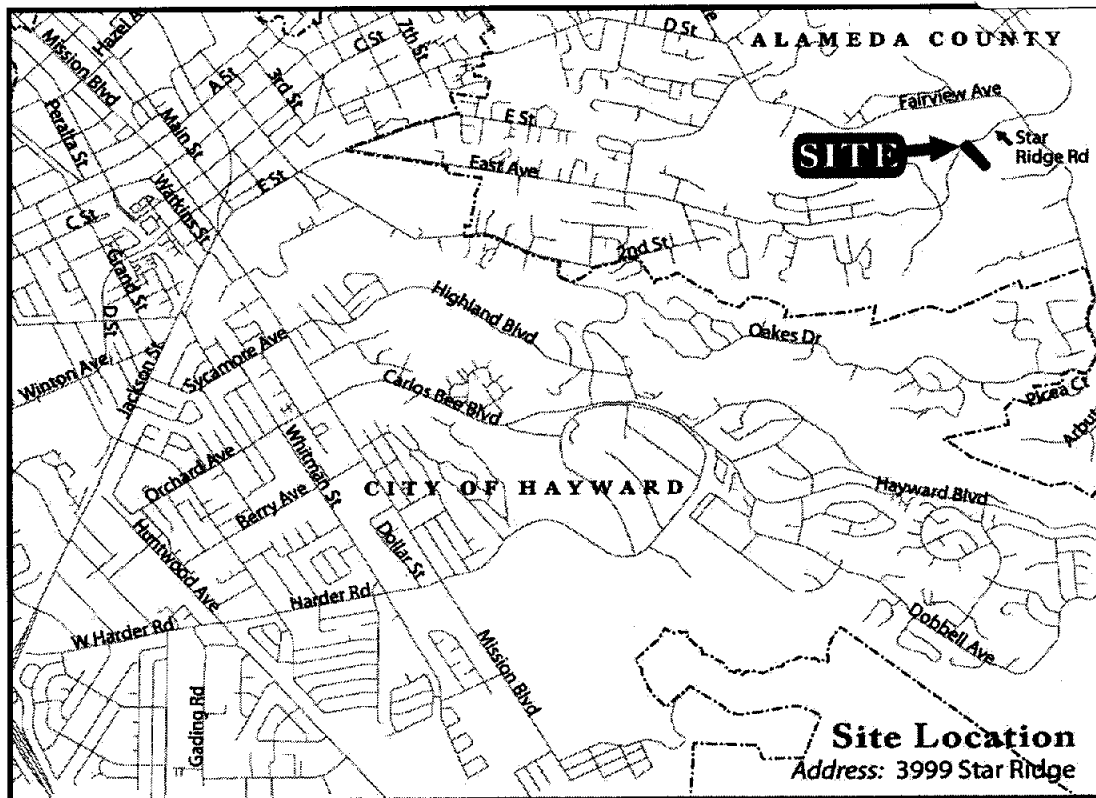
Attachments:

Exhibit A

Area Map

Draft Resolution

5/16/06



# DRAFT

## HAYWARD CITY COUNCIL

RESOLUTION NO. 06-

Introduced by Council Member \_\_\_\_\_

*me  
5/2/06*

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO LAFCO FOR APPROVAL OF UTILITY SERVICE AGREEMENTS (USA 05-01) TO PROVIDE WATER AND SEWER SERVICE TO PROPERTY LOCATED ON STAR RIDGE ROAD (EAST AVENUE) AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENTS, AS WELL AS AGREEMENTS FOR COMPLETION OF PUBLIC STREET IMPROVEMENTS

WHEREAS, sanitary sewer and water service has been requested for the property located at 3999 Star Ridge Road, Assessor's Parcel No. 425-0070-001; and

WHEREAS, pursuant to City policy, the Applicants have executed agreements to install street improvements across the property frontage at a future date and agreed to annex when requested by City; and

WHEREAS, the City is required to apply to LAFCO for approval of the utility service agreements, for which the Applicants have agreed to pay.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized to file an application with the Alameda County Local Agency Formation Commission ("LAFCO") for approval of the utility service agreements (Utility Service Agreement 05-01) in connection with the property located at 3999 Star Ridge Road Assessor's Parcel No. 425-0070-001.

BE IT FURTHER RESOLVED that the City Manager is also authorized to execute utility service agreements and public street improvement agreements in the form of the agreements on file in the office of the City Clerk, to which reference may be made for further particulars, following the LAFCO's approval of the utility service agreements pursuant to Government Code section 56133.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2006

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

**ABSTAIN: COUNCIL MEMBERS:**

**ABSENT: COUNCIL MEMBERS:**

**ATTEST:** \_\_\_\_\_  
City Clerk of the City of Hayward

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney of the City of Hayward